

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

ARTHUR FERRO,

Plaintiff,

v.

Civ. No. 18-223 GJF/SMV

BOARD OF COUNTY COMMISSIONERS
OF CURRY COUNTY and KENNETH LACEY,


Defendants.

ORDER

THIS MATTER came before the Court on Plaintiff's "Motion to Strike Reply" ("Motion") [ECF No. 63]. The Court has considered the Plaintiff's Motion, the applicable law, and the oral argument on the matter on December 10, 2018. At the conclusion of the hearing, the Court reasoned that the Local Rules expressly authorize the equivalent of a motion, response, and reply when one party is objecting to a non-dispositive decision by a pretrial magistrate judge. *See* D.N.M.LR-Civ. 72.1. Because a discovery order is the quintessential example of a non-dispositive decision, Local Rule 72 controls.

IT IS THEREFORE ORDERED that Plaintiff's Motion is **DENIED** for the reasons stated on the record.

IT IS SO ORDERED.


THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE
Presiding by Consent